

ADVANCEMENT OF PEACE

Treaty signed at Washington July 24, 1914

Senate advice and consent to ratification August 20, 1914

Ratified by Chile November 9, 1915

Ratified by the President of the United States November 11, 1915

Ratifications exchanged at Washington January 19, 1916

Entered into force January 19, 1916

Proclaimed by the President of the United States January 22, 1916

39 Stat. 1645; Treaty Series 621

TREATY FOR THE SETTLEMENT OF DISPUTES THAT MAY OCCUR BETWEEN THE UNITED STATES OF AMERICA AND CHILE

The President of the United States of America and the President of the Republic of Chile being desirous to secure in the most effective way the amicable settlement of any future difficulties between both countries and the subsequent maintenance of peace and good amity between them, have resolved to enter into a special treaty for that purpose, and to that end have appointed their Plenipotentiaries as follows:

The President of the United States of America, His Excellency William Jennings Bryan, Secretary of State of the United States; and

The President of the Republic of Chile, His Excellency Eduardo Suárez Mujica, Envoy Extraordinary and Minister Plenipotentiary of Chile to the United States of America;

Who, after having communicated to each other their respective full powers, found to be in proper and due form, have agreed upon and concluded the following articles:

ARTICLE I

The High Contracting Parties agree that all disputes that may arise in the future between them, shall, when diplomatic methods of adjustment have failed, be submitted for investigation and report to an International Commission to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation, nor before all resources stipulated in this treaty have proved unsuccessful.

ARTICLE II

The International Commission shall be composed of five members, to be appointed as follows:—Each Government shall designate two members, only one of whom shall be of its own nationality. The fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not belong to any of the nationalities already represented on the Commission. The fifth member shall perform the duties of President.

Each of the High Contracting Parties shall have the right to remove, at any time before investigation begins, any Commissioner selected by it and, conjointly, the nomination of the successor, or successors, must be enacted. Likewise, either Government shall also have the right to withdraw its approval of the fifth member; in which case the new fifth member will be appointed within thirty days following the notification of the withdrawal, by common agreement between the two Governments, and such agreement lacking, the appointment will be made by the President of the Swiss Confederation.

The vacancies that may occur through other causes than those already named, will be filled as mentioned in this article.

The International Commission shall be constituted within the four months following the exchange of the ratifications of this treaty, and shall notify both Governments of the date of its organization. The Commission will establish its own regulations. The resolutions of the Commission, as well as its final report, will be adopted by the majority of its members.

The expenses of the Commission shall be paid by the two Contracting Governments in equal proportion.

The Commission shall determine the country wherein it will sit, taking into consideration the greater facilities for the investigation.

ARTICLE III

In case that, as established in Article I, the High Contracting Parties shall have failed to adjust the difficulty by diplomatic methods, said difficulty will be immediately submitted to the International Commission for its investigation and report. The convocation of said Commission may be made by either contracting Government.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall extend the time by mutual agreement. The report shall be prepared in triplicate: one copy shall be presented to each Government and the third retained by the Commission for its files.

ARTICLE IV

Once the report in possession of both Governments, six months' time will be available for renewed negotiation in order to bring about a settlement of the difficulty in view of the findings of said report; and if even during this new term both Governments should be unable to reach a friendly arrangement, the dispute will then be submitted to the Permanent Court of Arbitration established at The Hague.

Notwithstanding, any question that may affect the independence, the honor or the vital interests of either or both of the countries, or the provisions of their respective Constitutions, or the interests of a third nation, will not be submitted to such or any other arbitration.

A special and previously agreed convention will detail, if arbitration is resorted to, the matter of the controversy, the extent of the Arbiters' powers, and the length of time to which the Court of Arbitration must subject its organization and procedure, including the presentation of memorials, proofs, and pleas.

ARTICLE V

The present treaty will be ratified by both Governments after obtaining its approval by the Constitutional Powers of both countries, and the ratifications shall be exchanged in Washington as soon as possible.

The special convention prescribed by the final paragraph of Article IV remains also subject to the constitutional requisites of both countries.

The present treaty shall take effect immediately after the exchange of the ratifications; and shall continue in force for a period of five years, and it shall thereafter remain in force, during successive periods of five years, until one of the High Contracting Parties have given notice to the other of an intention to terminate it.

In witness thereof the respective Plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington, on the 24th day of July, in the year nineteen hundred and fourteen.

WILLIAM JENNINGS BRYAN	[SEAL]
Edº SUÁREZ MUJICA	[SEAL]